

The Abstract has been objected to for informalities which have been corrected in the aforementioned amendments.

Claims 5-7, 11-13 and 17 stand rejected under 35 USC §102(b) as anticipated by U.S. Patent 5,373,506 to Tayloe et al. (hereinafter "Tayloe et al").

Applicant respectfully traverses this rejection.

Tayloe et al. discloses a method and apparatus for paging in a communication system in which a fixed base site 115 periodically pages subscribers 120 in a paging area 100. Paging groups 520 are not sent to subscribers 120 as often when the paging load is small in order to prolong the battery life of the subscribers. The frequency with which the paging groups 520 are transmitted to subscribers varies with the paging load.

Although the paging frequency may vary dynamically, Figs. 3-7 suggest that the "paging repetition factor" ("DRX") can be changed based on the time of day, paging load and paging load queuing delay to optimize battery power conservation, as disclosed in column 3, line 64 to column 4, line 24.

This is in contrast to the claimed invention, in which the emanation interval of the beacon signal to the intermittent power-on type mobile station is caused to vary according to the transmission data amount to be transmitted to the intermittent power-on type mobile station, as shown in Fig. 20 of the instant application.

Thus, the 35 USC §102(b) rejection should be withdrawn.

Claims 1 and 8 stand rejected under 35 USC §103(a) as unpatentable over U.S. Patent 4,449,248 to Leslie et al. (hereinafter "Leslie et al.") or Applicant's admitted Prior Art in view of U.S. Patent 5,276,680 to Messenger (hereinafter "Messenger").

Applicant respectfully traverses this rejection.

Leslie et al. discloses a battery saving circuit for radio receivers in which a radio receiver circuit is intermittently powered through a controllable power supply switch so that the power is off when no reception is performed. Leslie et al. discloses that the control of the power supply for the receiver is controlled by a programmable timing mechanism for removing operating power from the receiver for a time duration which is commanded by electrical control signals received from a central control station.

This is in contrast to the present invention, in which the base station emanates a beacon signal which determines if and when the intermittent power-on type mobile station will be activated (powered-up) to receive data in a data receive-ready period of normally fixed duration. In the present invention the beacon signal activates a "sleeping" power supply to allow data to be received, while in Leslie et al. the control signal determines how long the receiver's power supply will "sleep". The Examiner has apparently failed to understand or appreciate this important distinction.

Applicant's admitted Prior Art fails to disclose that the interval between beacon signals indicating data reception can be varied, as recited in claim 5.

The Examiner has admitted that both of these references fail to recite that a base station preferentially transmits data to the intermittent type mobile station over the normal type mobile

station, as claimed in the present invention, but has cited Messenger for teaching this feature. However, Messenger fails to disclose that the interval between activation may be varied, as claimed.

More specifically, the Examiner has urged that Messenger teaches a base station which separates data to be transmitted to a normal-type station in a normally powered-on state from data to be transmitted to an intermittent-type mobile station, wherein the base station preferentially transmits data to the intermittent-type mobile station over a normal mobile station in a normally powered-on state, when the data to be transmitted to the intermittent-type mobile station exists during the data receive-ready period, for the implied purpose of optimizing system latency by assuring that the base station transmits data to the intermittent-type mobile as soon and efficiently as possible. The Examiner has also urged that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify either prior art system according to the disclosure of Messenger.

However, the present invention claims a technique in which it is not necessary to shorten an interval of occurrence of a beacon signal, which is not taught, mentioned or suggested in Messenger.

Summarizing, Applicant submits that Messenger does not disclose that a base station preferentially transmits data for an intermittent-type mobile station over data for a normal type mobile station, as in the present invention.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 2-3, 9-10 and 14-16 stand rejected under 35 USC §103(a) as unpatentable over U.S. Patent 5,535,207 to Dupont (hereinafter "Dupont").

Applicant respectfully traverses this rejection.

Dupont discloses a radio communications system in which message delivery to a user terminal includes receiving information representative of an active time slot pattern from the user terminal and determining, dependent on the information, an active time slot pattern for user terminal, which is then delivered to the user terminal during an active time slot.

This is in contrast to the present invention as claimed, in which a normal receive-ready period for data reception may be extended by transmission of the extension information from the base station at the time of the shift to power-on when a beam signal for the base station is received. Without the time extension information being transmitted, the data is received during its regular receive-ready period in the present invention.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 2-3, 9-10 and 14-16 stand rejected under 35 USC §103(a) as unpatentable over U.S. Patent 5,629,940 to Gaskill (hereinafter "Gaskill").

Applicant respectfully traverses this rejection.

Gaskill discloses a radio communication system in which, upon reception of a "pointer packet", receiver 28 changes into a second data acquisition mode, in which receiver 28 turns on during each subsequent time slot addressed in the pointer packet in the first time slot. Fig. 3 indicates that these subsequent time slots need not be contiguous, which is in contrast to the time

period extension which occurs directly after the receive-ready period when necessary, as indicated by the time extension information received from the base station.

Thus, the 35 USC §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1-17, as amended, are in condition for allowance, which action, at an early date, is requested.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELAND & NAUGHTON



William L. Brooks
Attorney for Applicant
Registration No. 34,129

Attorney Docket No. 960454
1725 K Street, N.W., Suite 1000
Washington, D.C. 20006
Tel: (202) 659-2930
Enclosure: Abstract of the Disclosure